

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ODELIA ABECASSIS, et al.,

Plaintiffs,

v.

OSCAR S. WHYATT, JR., et al.,

Defendants.

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Civil Action No. 4:09-cv-003884

NOTICE OF APPEARANCE FOR LIMITED PURPOSES OF COUNSEL

PLEASE TAKE NOTICE that Stephanie D. Clouston, attorney with the law firm of Alston & Bird LLP, hereby enters her appearance in this matter as counsel of record for Third-Party Defendants B. Braun Melsungen AG and Aesculap AG (collectively, the “B. Braun Defendants”).

This appearance is for the limited purpose of opposing Third-Party Plaintiffs’ motions for an extension of the service deadline (D.N. 282) and for issuance of letters rogatory (D.N. 281) and is subject to and without waiver of this Court’s lack of personal jurisdiction over the B. Braun Defendants and the B. Braun Defendants’ right to raise, among others, objections as to service of process and subject matter and personal jurisdiction, all of which are hereby expressly preserved. *See Bayou Steel Corp. v. M/V Amstelvoorn*, 809 F.2d 1147, 1148 (5th Cir. 1987); *Painwebber Inc. v. Chase Manhattan Private Bank (Switz.)*, 260 F.3d 453, 461 (5th Cir. 2001).

Dated: June 7, 2013

Respectfully Submitted,

/s/ Stephanie D. Clouston

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AG AND AESCULAP AG**

CERTIFICATE OF SERVICE

On June 7, 2013, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Southern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

s/ Stephanie D. Clouston